

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re the Application of: **SOMA, Gen-Ichiro, et al.****ATTN: PCT BRANCH**Serial No.: **10/572,853**Group Art Unit: **1632**Filed: **March 22, 2006**P.T.O. Confirmation No.: **9265****For: METHOD FOR FERMENTATION AND CULTIVATION, FERMENTED PLANT  
EXTRACT, FERMENTED PLANT EXTRACT POWDER, AND COMPOSITION  
CONTAINING THE EXTRACT OF FERMENTED PLANT****RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 9, 2007

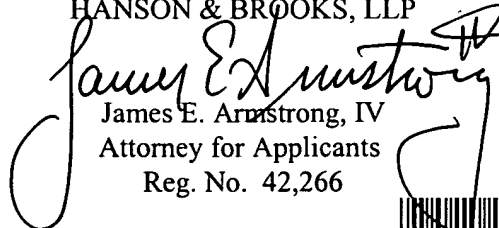
Dear Sir:

In response to the Notification of Missing Requirements of Application dated **December 14, 2006**, enclosed for filing is an executed Declaration and Power of Attorney for the above-identified patent application.

Please note that the surcharge fee of **\$130.00** for filing the late Declaration was paid at the initial filing. The fees enclosed at initial filing on **March 22, 2006** were **\$1,880.00** (\$300.00 for basic filing fees, \$400.00 for the search fee, \$200.00 for the examination fee, \$850.00 for total claims and \$130.00 for filing the late Declaration). In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340.

In the event that this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

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Attorney for Applicants  
Reg. No. 42,266JAM/rmp  
Atty. Docket No. **060208**  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930**23850**

PATENT TRADEMARK OFFICE

Enclosures: Notification; Declaration

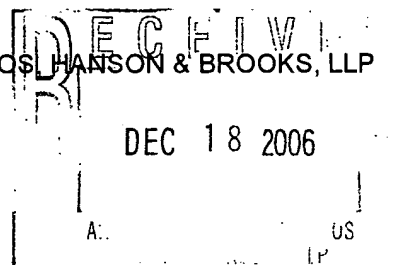


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/572,853	Gen-Ichiro Soma	060208

23850  
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INTERNATIONAL APPLICATION NO.	
PCT/JP04/13812	
I.A. FILING DATE	PRIORITY DATE
09/22/2004	09/26/2003

CONFIRMATION NO. 9265

371 FORMALITIES LETTER



\*OC000000021591011\*

Date Mailed: 12/14/2006

DUE: FEBRUARY 14, 2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/22/2006
- English Translation of the IA filed on 03/22/2006
- Copy of the International Search Report filed on 03/22/2006
- Copy of IPE Report filed on 03/22/2006
- Preliminary Amendments filed on 03/22/2006
- Information Disclosure Statements filed on 03/22/2006
- Request for Immediate Examination filed on 03/22/2006
- Copy of references cited in ISR filed on 03/22/2006
- U.S. Basic National Fees filed on 03/22/2006
- Priority Documents filed on 03/22/2006

PCT-National Phase

Priority 9-26-03

30 Months \_\_\_\_\_

32 Months 5-26-06

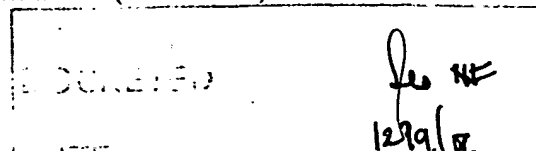
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,853	PCT/JP04/13812	060208

FORM PCT/DO/EO/905 (371 Formalities Notice)